

**REMARKS**

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1-19 are in the present application. It is submitted that these claims, are patentably distinct over the prior art cited by the Examiner, and that these claims are in full compliance with the requirements of 35 U.S.C. § 112. Changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 1, 4-7, and 12-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Koz (U.S. Patent 5,990,955) in view of Guenther et al. (U.S. Patent 6,418,422). The present invention is “a terminal apparatus into which any one of a first and a second memory card is selectively inserted, said first memory card carrying a signal processing circuit for copyright protection, said second memory card not carrying a signal processing circuit for copyright protection.” (Claims 1, 8, 12, and 17) The Examiner concedes on page 3 of the Office Action that Koz does not teach this limitation. Rather, the Examiner contends Guenther discloses this limitation at Column 4, Lines 39-45 and Column 5, Lines 40-46. (Office Action page 3) At the cited locations, Guenther discloses a hierarchy of chip cards with various levels of functionality and a chip card having protected and unprotected memory areas. However, Guenther’s cards are directed to limiting access to various functions of a postage meter machine. Guenther simply

does not discuss “copyright protection.” Moreover, Guenther fails to disclose chip cards having “a signal processing circuit for copyright protection” as required in the present claims. This signal processing circuit for copyright protection is shown in Figure 2 as security block 52, and can be contrasted with Figure 3 corresponding to the second memory card without this circuit. Moreover, the present invention has “judging means for judging whether a memory card inserted into said terminal apparatus is said first memory card or said second memory card on the basis of whether said memory card supports copyright protection.” (Claims 1, 8, 12, and 17) The Examiner asserts Guenther discloses an equivalent to the present invention’s judging means at Column 8, line 53 to Column 9, Lines 16 and Column 9, line 39 to Column 10, Lines 5. However, Guenther does not judge a card on the basis of whether it “supports copyright protection” as claimed in the present invention. Accordingly, for at least these reasons, Koz and Guenther fails to obviate the present invention and the rejected claims should now be allowed.

Claims 2-3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Koz in view of Guenther and further in view of Fuchigami et al. (U.S. Patent 6,160,953). Claims 8-11 and 17-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Koz in view of Guenther and further in view of Nejime et al. (U.S. Patent 5,717,818). However, Fuchigami and Nejime, like Koz and Guenther as discussed above, fail to teach discriminating between a copyright protected card and a non-copyright protected card as in the present invention. Hence, various combinations of Fuchigami, Nejime, Koz, and Guenther fail to meet the copyright protection limitations of the present claims and the rejected claims should now be allowed.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By:

  
Darren M. Simon  
Reg. No. 47,946  
(212) 588-0800